

Jared De Jong, Bar No. 21-271  
New Mexico Bar Number: 142914  
jdi@paynefears.com  
Scott S. Thomas, Bar No. 21-275  
sst@paynefears.com  
Sarah J. Odia, Bar No. 21-279  
sjo@paynefears.com  
PAYNE & FEARS LLP  
4 Park Plaza, Suite 1100  
Irvine, California 92614  
Phone (949) 851-1100  
Fax (949) 851-1212  
Telephone: 949-851-1100  
Facsimile: 602-344-9653

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

PULTE HOMES OF NEW MEXICO,  
INC., a Michigan corporation; PULTE  
DEVELOPMENT NEW MEXICO, INC., a  
Michigan corporation,

Plaintiffs,

v.

CINCINNATI INDEMNITY COMPANY,  
an Ohio corporation; THE CINCINNATI  
INSURANCE COMPANY, an Ohio  
corporation; THE CINCINNATI  
CASUALTY COMPANY, an Ohio  
corporation; HDI GLOBAL SPECIALTY SE  
fka INTERNATIONAL INSURANCE OF  
HANNOVER, a New York corporation;  
SENTINEL INSURANCE COMPANY,  
LTD, a Connecticut corporation;  
GUIDEONE NATIONAL INSURANCE  
COMPANY, an Iowa corporation;  
COLORADO CASUALTY COMPANY, a  
New Hampshire corporation; OHIO  
SECURITY INSURANCE COMPANY, a  
New Hampshire corporation; DONEGAL  
MUTUAL INSURANCE COMPANY fka  
MOUNTAIN STATES MUTUAL  
CASUALTY COMPANY, a Pennsylvania  
corporation; ACE AMERICAN

**CIVIL NO. 1:22-cv-00388-GJF-SCY**

**VOLUNTARY DISMISSAL OF  
DEFENDANT FEDERATED MUTUAL  
INSURANCE COMPANY**

INSURANCE COMPANY, a Pennsylvania corporation; FIRST MERCURY INSURANCE COMPANY, a Delaware corporation; CENTURY SURETY COMPANY, an Ohio corporation; UNITED SPECIALTY INSURANCE COMPANY, a Delaware corporation; GEMINI INSURANCE COMPANY, a Delaware corporation; PELEUS INSURANCE COMPANY, a Virginia corporation; AMERICAN HALLMARK INSURANCE COMPANY OF TEXAS, a Texas corporation; CENTRAL MUTUAL INSURANCE COMPANY, an Ohio corporation; SOUTHERN INSURANCE COMPANY, a Texas corporation; NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, an Illinois corporation; NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, a Pennsylvania corporation; STARR INDEMNITY & LIABILITY COMPANY, a Texas corporation; ENDURANCE AMERICAN INSURANCE COMPANY, a Delaware corporation; CLARENDON NATIONAL INSURANCE COMPANY, as successor in interest by way of merger with Sussex Insurance Company fka as Companion Property and Casualty Insurance Company, a Texas corporation; KNIGHT SPECIALTY INSURANCE COMPANY, a Delaware corporation; FEDERATED MUTUAL INSURANCE COMPANY, a Minnesota corporation,

Defendants.

**VOLUNTARY DISMISSAL OF DEFENDANT FEDERATED MUTUAL INSURANCE COMPANY**

Pursuant to F.R.C.P. 41(a), Plaintiffs Pulte Homes of New Mexico, Inc. and Pulte Development New Mexico, Inc., through counsel, hereby dismiss their claims against Defendant

///

///

///

Federated Mutual Insurance Company, without prejudice, each party to bear its own fees and costs.

DATED: June 29, 2022

PAYNE & FEARS LLP

By: /s/ Sarah J. Odia  
Jared De Jong, Bar No. 21-271  
New Mexico Bar Number: 142914  
Scott S. Thomas, Bar No. 21-275  
Sarah J. Odia, Bar No. 21-279  
4 Park Plaza, Suite 1100  
Irvine, CA 92614  
*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29<sup>th</sup> day of June, 2022, I electronically filed the foregoing **VOLUNTARY DISMISSAL OF DEFENDANT FEDERATED MUTUAL INSURANCE COMPANY** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

David Clark, Esq. Mark Byron Shutt, Esq. AKERMAN LLP 1300 Post Oak Boulevard, Suite 2300 Houston, TX 77056 Telephone: 713.871.6893 <a href="mailto:david.clark@akerman.com">david.clark@akerman.com</a> <a href="mailto:mark.shutt@akerman.com">mark.shutt@akerman.com</a>	Attorneys for American Hallmark Insurance Company of Texas
Jeffrey Federspiel, Esq. Lloyd Hoffman, Esq. HOFFMAN KELLEY LOPEZ LLP 1700 Louisiana Boulevard NE, Suite 200 Albuquerque, NM 87110 Telephone: 505.346.3130 <a href="mailto:jeffrey@hklfirm.com">jeffrey@hklfirm.com</a> <a href="mailto:lloyd@hklfirm.com">lloyd@hklfirm.com</a>	Attorneys for National Union Fire Insurance Company of Pittsburgh, PA
Jeffrey N. Labovitch, Esq. (Pro Hac Vice pending) Dawn A. Hove, Esq. (Pro Hac Vice pending) NICOLAIDES FINK THORPE MICHAELIDES SULLIVAN LLP 4250 Executive Square, Suite 540 La Jolla, CA 92037-1482 Telephone: 858.257.0703 <a href="mailto:jlabovitch@nicolaidesllp.com">jlabovitch@nicolaidesllp.com</a> <a href="mailto:dhove@nicolaidesllp.com">dhove@nicolaidesllp.com</a>	Attorneys for National Union Fire Insurance Company of Pittsburgh, PA
Amy M. Samberg, Esq. CLYDE & CO US LLP 400 East Van Buren Street, Suite 440 Phoenix, AZ 85004 Telephone: 480.746.4580 <a href="mailto:amy.samberg@clydeco.us">amy.samberg@clydeco.us</a>	Attorneys for ACE American Insurance Company

James P. Barrett, Esq. EATON LAW OFFICE, P.C. P.O. Box 25305 Albuquerque, NM 87125 Telephone: 505.243.1486	Attorneys for ACE American Insurance Company
Rebecca S. Kenny, Esq. MADISON, MROZ, STEINMAN, KENNY & OLEXY, P.A. P.O. Box 25467 Albuquerque, NM 87125 Telephone: 505.242.2177 <a href="mailto:rsk@madisonlaw.com">rsk@madisonlaw.com</a>	Attorneys for Sentinel Insurance Company, Ltd.
Charles A. Armgardt, Esq. Of Counsel EVANS & CO. 2844 East Main Street, Suite 106, #283 Farmington, NM 87402 Telephone: 505.566.9400 <a href="mailto:carmgardt@evanslawfirm.com">carmgardt@evanslawfirm.com</a>	Attorneys for The Cincinnati Insurance Company, The Cincinnati Indemnity Company, and The Cincinnati Casualty Company
Gena L. Sluga, Esq. CHRISTIAN DICHTER & SLUGA, P.C. 2800 North Central Avenue, Suite 860 Phoenix, AZ 85004 Telephone: 602.792.1700 <a href="mailto:gsluga@cdslawfirm.com">gsluga@cdslawfirm.com</a>	Attorneys for Century Surety Company and United Specialty Insurance Company

///

///

///

Charles J. Vigil, Esq. RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A. P.O. Box 1888 Albuquerque, NM 87103 Telephone: 505.765.5900 <a href="mailto:cvigil@rodey.com">cvigil@rodey.com</a>	Attorneys for Southern Insurance Company
---	---

---

Jennifer Stephens, an Employee of  
PAYNE & FEARS

4887-3138-0519.1